The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined fourth and fifth periodic reports of Vanuatu (CEDAW/C/VUT/4-5; CEDAW/C/VUT/4-5 and Add.1)

1. *At the invitation of the Chair, the delegation of Vanuatu took places at the Committee table.*

2. **Ms. Kenneth** (Vanuatu), introducing the combined fourth and fifth periodic reports of Vanuatu (CEDAW/C/VUT/4-5), said that gender equality was fundamental for human rights, democracy, social justice and sustainable development in Vanuatu. In the years since her delegation had presented its previous report, a new Ministry of Justice and Community Services had been established, which had assisted in monitoring and evaluating compliance with the Convention. The Ministry had also formed a working group that included heads of the judiciary, the police, the Department of Women's Affairs and others tasked with implementing a cross-cutting strategic plan for the period 2014-2017. The strategy included actions to strengthen the links between the customary and formal law systems; improve protection and support for victims of crime; and develop a national framework for the implementation of international treaties and constitutional provisions.

3. Despite the frequent changes in Government, which had affected plans to address discriminatory legal provisions, various measures had been adopted to implement the Committee's previous recommendations (CEDAW/C/VUT/CO/3). By way of example, a working group on the collection of gender-based statistical data had been established, and a gender cluster had been set up in the National Disaster Management Office to address the needs of women and girls in the aftermath of Cyclone Pam.

4. In the field of health care, a reproductive health policy and strategy for the period 2016-2018 had been adopted, which encompassed seven policy areas, including family planning and gender-based violence. A national strategy on HIV/AIDS and sexually transmitted infections was in the final stage of drafting and a reproductive, maternal, newborn, child and adolescent strategy aimed at strengthening the health-care system had been funded by the Government and its development partners. A new health information system unit had also been launched in order to capture data and provide for greater transparency.

5. While various modern contraceptive methods were available, there had been an increase in the number of teenage pregnancies. It was clear that more needed to be done to prevent unwanted teenage pregnancies and raise awareness of the risks of unsafe sex. To that end, a family life education syllabus was currently awaiting approval.

6. Regarding gender mainstreaming in education, efforts had been made to remove gender-based stereotypes from secondary school materials. The Inclusive Education Policy of 2010 had contained proposals for improving accessibility for children with disabilities and providing training to teachers.

7. The amendments to the Municipalities Act in 2013, including a 30 per cent quota for women sitting on the Port Vila Municipal Council, had led to more regular attendance at Council meetings and a reduction in the debt incurred by the previous Council.

Articles 1 to 6

8. **Ms. Haidar**, while welcoming the State party's commitment to its treaty obligations and the progress so far made, said that the Committee was concerned that the Convention had not been fully incorporated into the domestic legislation, in accordance with the Committee and universal periodic review recommendations. Moreover, neither the Constitution nor any other domestic legislation contained a definition of discrimination against women that encompassed both direct and indirect discrimination, in accordance with article 1 of the Convention. Similarly, the Committee remained concerned that cultural and religious norms, some of which had an adverse impact on women's enjoyment of their human rights, were given a status equal to legal norms and that the principles of equality between women and men and non-discrimination did not override norms of customary law that ran counter to them. Since customary law predominated in disputes over ownership of land, how did the State party intend to uphold land and other rights when they conflicted with customary law? What was the role played by the National Council of Chiefs in such matters?

9. Referring to two decisions of the Supreme Court in respect of marital rape and equal rights in the division of marital property, she asked what the legal costs of trying those cases had been and whether there were any financial or other barriers deterring women from bringing such cases before the courts. It would also be interesting to know whether a national human rights institution in line with the Paris Principles had now been established.

10. **Ms. Kenneth** (Vanuatu) said that, at the present time, there was no time frame for the amendment of the Constitution to bring it into line with the Convention. With respect to ownership of land, customary law prevailed in the event that it conflicted with the provisions of the Convention. However, any customary law governing land ownership must uphold the fundamental rights of women enshrined in the Constitution, as had been confirmed in the case of *Noel v. Toto* before the Supreme Court in 1995. Although custom was the main basis for determining land ownership, such custom was subject to the Constitution, which protected the right to equal treatment in administrative action. Moreover, the Customary Land Management Act, which regulated how land ownership was determined under customary law, did not prohibit women from attending proceedings on land ownership or voicing concerns over their interest in the land.

11. **Mr. Natuman** (Vanuatu) said that any proposals to amend the Constitution, including incorporating a broader definition of discrimination, required a parliamentary majority, something that the Government had not yet achieved. The National Council of Chiefs played no role in land ownership since all such matters now came under the new Customary Land Management Act, with local institutions in each village determining land ownership in accordance with customary law.

12. **Mr. Waqanitoga** (Vanuatu) said that while the Government was actively looking to build capacity for providing legal assistance, no firm plans or financial resources had yet been committed to that endeavour. It was hoped that the strategic plan for the period 2014-2017 would make it possible for that to occur.

13. The Ministry of Justice was exploring ways of ensuring that women were equally represented on village and community tribunals where customary ownership of land was determined. In addition, the Government was actively monitoring the implementation of the Customary Land Management Act in order to identify any areas for improvement.

14. **Ms. Kenneth** (Vanuatu), replying to a question on the establishment of a national human rights institution, said that the Ministry of Justice was currently

assessing whether it should be a separate entity, remain under the authority of that Ministry or be part of the Office of the Ombudsman.

15. **Ms. Haidar**, while acknowledging the difficulties associated with amending the Constitution, said that she failed to see how the State party would be able to implement the recommendations of the Committee and those put forward under the universal periodic review process without undertaking legal and constitutional reform. In that connection, she wondered whether a commission had been established or any studies conducted to identify and review any discriminatory provisions, which might then usher in the necessary reforms.

16. The Constitution provided that the National Council of Chiefs could be consulted on any question, particularly where it related to tradition or customs, in connection with any bill before parliament, which indicated that the National Council of Chiefs wielded considerable legislative powers. Since those chiefs were elected by their peers, it would be interesting to know whether there were any women chiefs.

17. **Ms. Patten**, referring to the Judicial Services and Courts Act, under which the courts could adapt legal provisions in order to facilitate the application of customary law, said that it would be useful to hear more about how the State party reconciled the discrepancies between the formal law system and the reality on the ground. She would be interested to know whether the State party had conducted any analysis of the pluralities within, and the relationship between, the two legal systems; how customary and State institutions, such as the police and the prison system, interacted; and how the courts were informed of substantive customary law.

18. Regarding access to justice, she said that the physical geography of Vanuatu represented a particular challenge, as did operational difficulties and the lack of resources. In addition, there was general distrust of what was perceived to be a foreign, predominantly English-speaking legal system, when the majority of the population did not speak that language. What action had the Government taken to address those myriad challenges and their effects on the accessibility and effectiveness of the judicial system?

19. **Ms. Tevi** (Vanuatu) said that an implementation matrix for the period 2014-2018 had been developed to facilitate compliance with the Committee and universal periodic review recommendations. Although the Government did not yet have the capacity to establish a national human rights institution, it was likely that it would be incorporated as a separate entity that would address human rights issues on a case-by-case basis.

20. **Mr. Natuman** (Vanuatu) said that, admittedly, the relationship between the courts and customary law was a complicated one. As things stood, no studies had as yet been undertaken to identify the problem areas, clarify the specific circumstances in which customary law prevailed or analyse the plurality of the legal systems.

21. While there was provision in the Constitution for the National Council of Chiefs to be consulted on draft legislation, such consultation was at the Government's discretion. In fact, consultation with the Council was generally limited to bills that directly affected customary law or land ownership. The composition of the Council was predominantly male owing to the traditionally patriarchal society of Vanuatu. However, no case law existed on whether the title of Chief could be held by a woman.

22. Under the Constitution, all international treaties to which Vanuatu was a party and that affected the status of the people were required to be incorporated into domestic law. As a result, the Convention was regarded as domestic legislation and direct reference to its provisions could be made in the courts. Lastly, although all

proceedings in the Supreme Court and Court of Appeal were conducted in English, translators were provided free of charge.

23. **Mr. Waqanitoga** (Vanuatu) said that customary law was applied mainly in relation to land ownership and that its applicability to marriage, to the dissolution of marriage and to the division of matrimonial property was clearly defined. Although there were currently no plans to strengthen the provision of legal aid on the most isolated islands, the Ministry of Justice and Community Services funded trips by judicial officers with the aim of disseminating information on human rights.

24. **Ms. Haidar** asked what steps were being taken to give training in the Convention to judges, prosecutors and police officers.

25. **Ms. Tevi** (Vanuatu) said that the Regional Right Resource Team and the secretariat of the Pacific Community had been providing continuous training in the Convention and its applicability to police officers and to members of the judiciary.

26. **Ms. Zou** Xiaoqiao, noting reports that the Department of Women's Affairs lacked adequate financial and human resources and that it was largely reliant on the support of bilateral partners, asked what percentage of the budget of the Ministry of Justice and Community Services was allocated to the promotion of gender equality. She said that it would be interesting to know how many of the Ministry's employees had been assigned to gender issues, whether the Department had the authority to shape government policies for the advancement of women and whether the Government intended to increase the Department's budget.

27. She would appreciate an update on plans to appoint a gender adviser and a gender and protection coordinator within the Department and to convert the Department into a ministry by the end of the first quarter of 2016. She also wished to know whether the National Gender Equality Policy protected the rights of women belonging to vulnerable groups, including women with disabilities, rural women and single mothers. The delegation should supply details of efforts to implement the Policy and to ensure the availability of the financial and human resources required for that purpose. It should state whether there was a time frame for the Policy's implementation and whether indicators had been developed to gauge its effectiveness. Lastly, it would be useful to hear what was being done to foster the participation of civil society, particularly women's organizations, in the implementation of the Policy and whether gender focal points had been designated in every government institution.

28. **Ms. Gbedemah**, noting that there were no women members of parliament and that no quotas had been set for women's representation in the diplomatic service, said that temporary special measures were needed in order to achieve substantive gender equality. Given that, during its universal periodic review, the State party had pledged to take affirmative action to empower women in the public and private sectors and to encourage their political participation, she enquired what the time frame was for adopting such measures.

29. She wished to know whether the impact of the Municipalities Act had been assessed, whether the number of women councillors had grown since the amendment of the Act in 2013, what the level of compliance with the 30 per cent quota had been and whether sanctions were imposed for non-compliance. The delegation should also provide details of the time frame for the implementation of the recommendations put forward in the study into the gender profile of political parties and elections that was outlined in paragraph 102 of the periodic report (CEDAW/C/VUT/4-5).

30. **Ms. Kenneth** (Vanuatu) said that 0.2 per cent of the budget of the Ministry of Justice and Community Services was allocated to the Department of Women's Affairs, which had 15 employees and for which future budget increases had been earmarked by

the Government. A gender and protection coordinator had been appointed in December 2015 and a gender adviser would be recruited in March 2016. The restructuring of the Department was scheduled for completion in June 2016 and would ensure that it had the resources and the authority to implement the National Gender Equality Policy. Elements of all four strategic areas of the Policy were already being implemented and the Department was cooperating with development partners to establish a monitoring and evaluation framework.

31. The Council of Ministers had instructed the Department to guarantee that the 30 per cent quota for women's representation was in place in all municipal councils within 16 years of the 2013 amendment to the Municipalities Act, at which point the impact of the Act would be measured. Meanwhile, the Department was drawing on the recommendations contained in the study into the gender profile of political parties and elections in its implementation of the National Gender Equality Policy and had been urging political parties to stimulate the activities of their women's wings. It was also endeavouring to bring about greater political acceptance of temporary special measures and had raised awareness among women of their right to vote and to be elected.

32. **Ms. Tevi** (Vanuatu) said that, since the 2013 amendment to the Municipalities Act, more women had been participating in councils at the provincial and village levels and more of them had taken up senior posts within society. To give a few examples, the acting Attorney General, the head of the Telecommunications Regulator, the Director-General of the Ministry of Internal Affairs, the chargée d'affaires at the diplomatic mission of Vanuatu in Beijing and the Deputy Lord Mayor of Port Vila were all women.

33. **Ms. Kenneth** (Vanuatu) said that gender focal points had been designated in the following ministries: Climate Change and Natural Hazards; Education; Health; Justice and Community Services; and Land and Natural Resources.

34. **Ms. Zou** Xiaoqiao said that the delegation had not yet described what was being done to foster the participation of civil society, particularly women's organizations, in the implementation of the National Gender Equality Policy.

35. **Ms. Gbedemah** asked whether the State party would consider introducing legislated quotas to boost women's representation in political and public life, what results had been achieved since the establishment of the 30 per cent quota for women's representation in municipal councils and what steps were being taken to conduct an ongoing assessment of the effectiveness of efforts to implement the quota.

36. **Ms. Kenneth** (Vanuatu) said that representatives of civil society organizations, including women's groups, were part of the National CEDAW Committee and would be invited to report on the implementation of the 30 per cent quota, which had already been introduced in Port Vila and Luganville. Since the establishment of the quota, more women had shown a desire to occupy leadership positions within municipal councils.

37. **Ms. Tevi** (Vanuatu) said that the Committee's recommendations with regard to legislated quotas would be communicated to the Government, but that the imposition of quotas would require an amendment to the Representation of the People Act.

38. **Ms. Kenneth** (Vanuatu) said that efforts had been made to raise awareness of the importance of electing women to municipal councils in Port Vila and Luganville.

39. **Mr. Natuman** (Vanuatu) said that there were plans to amend national legislation in order to reserve seats for women on provincial councils and in parliament, although possible conflicts with the Constitution would need to be resolved before any amendments could be proposed.

40. **Ms. Al-Dosari** asked how the Family Life Education syllabus referred to in paragraph 86 of the periodic report would help eradicate gender stereotypes and patriarchal attitudes, and how it dealt with the topics of mental health, relationships and safety. She said that she would appreciate information on steps to raise awareness of the need to eliminate discrimination against women. In particular, she wished to know what training in human rights and the Convention had been provided to police officers.

41. With reference to paragraph 23 of the Committee's previous concluding observations (CEDAW/C/VUT/CO/3), she asked what had been done to put in place a comprehensive strategy, including legislation, to modify or eliminate cultural practices and stereotypes that discriminated against women. She would also welcome details of efforts to address the issue of dowries, to use innovative educational measures to strengthen understanding of the equality of women and men, to work with the media so as to promote a positive and non-stereotypical portrayal of women, to put in place monitoring mechanisms and to assess progress made towards the achievement of established goals in that respect.

42. **Ms. Leinarte** said that she was concerned about the slow pace with which the Family Protection Act, which criminalized domestic violence, was being implemented in rural areas, where most of the country's female population lived. She asked what protection and assistance were available to victims of domestic violence; whether there were shelters for victims; and whether police officers, judges and social workers received training that would help them to give effect to the Act's provisions. Despite the fact that the Penal Code prohibited witchcraft with intent to cause harm to another person, the practice still appeared to be widespread and accusations of witchcraft could trigger serious forms of violence, particularly against women, including public execution. She asked what measures the State party envisaged taking to eradicate that practice.

43. The cultural practice whereby the groom paid a bride price to his wife's family could also give rise to exploitation and gender-based violence, as, once the price had been paid, many men viewed their wife as their property and felt justified in inflicting corporal punishment on her. She asked whether the State party intended to prohibit that harmful cultural practice by law.

44. The low conviction rate of perpetrators of gender-based violence and the lenient prison sentences handed down to those who were convicted were also a cause of concern to the Committee. Noting that the prevalence of sexual violence against girls under the age of 15 in Vanuatu was one of the highest in the world, and that amendments to the Penal Code had been proposed which, if adopted, would increase the maximum penalties for incest, abduction for the purpose of committing a sexual offence and sexual intercourse with minors under the age of 15, she asked what progress had been made in adopting those amendments.

45. **Ms. Gabr** said that the report and the written replies provided scant information on the issue of human trafficking and prostitution. Given the high prevalence of human trafficking in developing countries, she wished to know whether the State party planned to ratify the Palermo Protocol and, if so, whether it intended to adopt legislation to protect the most vulnerable segments of society, punish perpetrators and guarantee assistance to victims. She enquired whether the State party planned to conduct studies or to collect data on the prevalence of the different forms of exploitation in the country, including domestic servitude, forced labour and prostitution. Did the State party intend to devise a national action plan to prevent and combat human trafficking and related crimes? What was the nature of the cooperation between the Government and the International Organization for Migration (IOM) in collecting data on human trafficking?

46. **Ms. Kenneth** (Vanuatu) said that the text and images used in learning materials had been modified as a means of tackling negative gender stereotypes in the school curriculum. The Ministry of Education had been tasked with examining and adopting the good practices of neighbouring countries and had conducted a visit to Fiji for that purpose.

47. **Mr. Ben** (Vanuatu) said that, in 2005, the United Nations Development Programme (UNDP) had funded a government-led consultation process with parents, church representatives, women's representatives, school representatives and young people on sex and family life education, which remained a sensitive cultural issue in the country. Teachers would be provided with training on how to approach those subjects in the classroom.

48. **Mr. Waqanitoga** (Vanuatu) said that the National Council of Chiefs had banned the use of money to pay bride prices, although other traditional forms of payment had been retained. According to a study on gender, custom and domestic violence in Vanuatu conducted in 2014, the role of women in society was dictated by custom, which placed men at the head of the household as decision makers and made women subordinate to them. However, there was no evidence to suggest that gender-based violence was a direct result of such customs. Moreover, perpetrators of that form of violence were severely punished. The national centre for women and the national media took part in information campaigns to prevent domestic violence.

49. **Ms. Kenneth** (Vanuatu) said that the Government had conducted a number of training activities aimed at raising the awareness of police officers of human rights, including women's rights, and building their capacity to deal with gender-based violence. A special training manual intended for police officers had been distributed to all police stations. Public servants had also been provided with training to assist them in implementing the Family Protection Act and in implementing programmes to raise awareness of gender issues.

50. **Mr. Natuman** (Vanuatu) said that there was no specific law dealing with witchcraft in Vanuatu. When a person accused of witchcraft was attacked or murdered, the perpetrators were charged with either assault or homicide under the country's Penal Code. Moreover, it was extremely difficult to prove to a court that witchcraft had been practised in such cases. There were no plans to expand the scope of the article of the Penal Code referring to that practice.

51. **Mr. Waqanitoga** (Vanuatu) said that the amendments to the Penal Code had been proposed following consultations between the Ministry of Justice and Community Services and the public prosecution service, and following the review of existing sentencing guidelines by the judiciary. It was hoped that increasing the maximum penalties for incest, abduction for the purpose of committing a sexual offence and sexual intercourse with minors under the age of 15 would reduce the prevalence of those phenomena. The Government was committed to securing the adoption of those amendments. The Ministry of Justice and Community Services was also examining the possibility of revising the law governing evidence to allow more cases, including cases involving sexual crimes, to be brought to trial. The corresponding bill had been drafted and was awaiting approval.

52. **Ms. Tevi** (Vanuatu) said that the authorities of Vanuatu tended to rely on the provisions of the Penal Code relating to solicitation to deal with human trafficking and the exploitation of women and girls. There were no plans to introduce a specific provision to criminalize those practices. While the Criminal Code prohibited the aiding of prostitution, it made no reference to the sexual exploitation of women and girls.

53. **Mr. Waqanitoga** (Vanuatu) said that no statistics on human trafficking or the sexual exploitation of women and girls were currently available. However, IOM was providing the country with technical assistance aimed at building the capacity of the Government and the police to collect such data in the future. Such data would prove useful in formulating strategies to combat those phenomena.

54. **Ms. Leinarte** asked why the practice of paying a bride price could not be prohibited by law and how preserving that practice could possibly benefit women in Vanuatu.

55. **Ms. Al-Dosari** asked whether the State party had harnessed the power of the media to promote a positive image of women and their role in society and how the impact of awareness-raising initiatives was monitored and assessed.

56. **Mr. Natuman** (Vanuatu) said that the Constitution recognized customary practices such as the payment of a bride price upon marriage, which would make it extremely difficult to prohibit by law. The National Council of Chiefs had banned the use of money to pay bride prices in an effort to change the traditional perception of women as becoming her husband's property once married.

57. **Mr. Ben** (Vanuatu) said that there were currently no mechanisms in place to monitor and assess the impact of awareness-raising activities.

58. **Ms. Tevi** (Vanuatu) said that it would be extremely difficult to convict a person accused of having practised witchcraft, as such accusations were based on circumstantial evidence that could not be corroborated beyond reasonable doubt in a court of law.

59. **Mr. Ben** (Vanuatu) said that the Penal Code did not address the issue of negative stereotypes of women and sexist attitudes.

60. **Ms. Schulz** asked how many women had been accused of practising witchcraft and, if they had been attacked or murdered as a result of such accusations, whether the perpetrators were duly prosecuted.

61. **Mr. Natuman** (Vanuatu) said that when a person was suspected of having practised witchcraft, a complaint was usually filed with the police. However, such complaints were often dismissed at the investigation stage on account of a lack of evidence. The Government recognized the need to raise public awareness of the dangers associated with accusations of witchcraft.

Articles 7 to 9

62. **Ms. Gbedemah** said that it would be helpful to receive detailed statistics on women's representation in the judiciary, the diplomatic service, international organizations, decision-making bodies and the security forces to enable the Committee to assess the level of women's participation in those spheres and to make the necessary recommendations to the State party.

63. She would also like to know whether the State party made a conscious effort to take account of gender considerations in appointments to the diplomatic service, foreign office and other such bodies.

64. She had been concerned to read in paragraph 98 of the report that women appointed to sit on Provincial Councils did not always have voting rights and were in some cases obliged to channel any questions they might wish to raise through a male councillor. She asked what reasons were behind that restriction, which compromised accuracy of communication and reinforced stereotypical perceptions that women were not qualified to speak in public; whether the situation was likely to change; and, if so, when. Details of any measures adopted to raise the profile and increase the

participation of women in traditional decision-making processes and in bodies concerned with climate change and disaster risk reduction would also be useful.

65. **Ms. Hofmeister**, referring to the amendment to the Citizenship Act mentioned in the written replies, said that details of the mechanism through which non-nationals could apply for citizenship were needed. She would particularly like to know: whether Vanuatuan women were able to transmit their nationality to their children irrespective of the father's nationality; what role the National Council of Chiefs assumed in citizenship decisions; and whether women applying to acquire or regain Vanuatu nationality faced obstacles of a practical nature, such as a requirement to travel to the main island.

66. **Ms. Kenneth** (Vanuatu) said that the Department of Women's Affairs was engaged in a consultation exercise to collect information about women's representation in the public and private sectors. The exercise should be completed by the end of 2016. The information collected would be used to compile a database of female talent and expertise that would be made available to relevant parties and would facilitate the appointment of women to State bodies and committees. Women were already represented on the National Advisory Board on Climate Change and Disaster Risk Reduction and were also involved in the related community-level programmes and committees.

67. **Mr. Waqanitoga** (Vanuatu) said that recent legislative reforms had made it compulsory to involve women in community and village-level discussions concerning customary land ownership and to obtain their consent for all decisions related to the acquisition, lease or alienation of land. Since the introduction of the adjudication system, several women had trained as certified adjudicators qualified to sit on village and community tribunals and participate in land-related decision-making processes. Women wishing to challenge a decision could approach the recently appointed Land Ombudsman for advice and, if deemed necessary, request a review of the proceedings.

68. **Mr. Natuman** (Vanuatu) said that foreign men and women who married a Vanuatuan citizen now had equal rights to apply for citizenship after two years of marriage and could include any children in their application. Women who had been elected to sit on Provincial Councils had full voting rights. By contrast, women with observer status who had been appointed by the Minister pursuant to the Decentralization Act did not have voting rights and were not permitted to voice their opinions directly. As the decision to establish reserved seats for women would bring more elected female representatives into office, the situation should change.

69. **Ms. Gbedemah** asked whether she could correctly conclude that, unless and until they were elected by public vote, women who sat on Provincial Councils would continue to be denied full voting rights. If so, the negative effects could be considerable; when women were deprived of voting rights in such forums, there was a risk of their voices being excluded altogether. For the same reason, she suggested that the reforms introduced to land-related decision-making processes should be extended to other areas, giving women the opportunity to play a role across the board at the grass-roots level. She invited the State party to consult general recommendation No. 23 on women in political and public life for guidance in that connection.

70. **Ms. Haidar** said that it was still not clear to her whether a Vanuatuan woman had the right to transmit her nationality to her child at birth even if the father was a non-national. Further clarification was needed.

71. **Ms. Hofmeister** asked what procedures a non-national who had been married to and living with a Vanuatuan for at least two years was required to complete in order to gain citizenship and whether the National Council of Chiefs had the power to oppose citizenship applications.

72. **Mr. Natuman** (Vanuatu) said that, in exercise of democratic principles, the Government thought it better to reserve seats in the Provincial Councils to which women could be democratically elected with full voting rights than to extend those rights to women with observer status who had been appointed by nomination. However, alternatives were under consideration and an amendment to the Decentralization Act that granted voting rights to women in the latter category was a possibility. With regard to the citizenship of children born to a Vanuatuan mother and non-national father, he pointed out that, whereas citizenship applications for the first child could be submitted after two years only, in parallel with the father's application, any subsequent children would become citizens at birth, in application of article 11 of the Constitution.

73. The National Council of Chiefs had no powers of intervention in citizenship matters; the Constitution gave the Citizenship Office exclusive jurisdiction over such decisions. Inhabitants of outer islands that wished to apply for citizenship could face practical obstacles; the Citizenship Office was based in Port Vila and the citizenship test could be sat in that location only. The Government was aware that that situation was far from ideal but significant resources would need to be raised before any changes could be made.

Articles 10 to 14

74. **Ms. Bailey** said that levels of enrolment in secondary education were a source of concern. The figures revealed that, on average, only around half of secondary school-aged children were in education, with the percentage falling progressively the higher the grade. She invited the delegation to explain the high dropout rate and the underlying causes, which, she assumed, must include a high rate of teenage pregnancy, an insufficient number of schools and inadequate infrastructures in addition to the failure to appreciate the value of education. Since the majority of secondary school teachers were men, sexual violence was also likely to be a problem and she would like to know how often such problems were reported and what was being done to address them. In the absence of legislative provisions to guarantee teenage mothers' right to complete their education, she would also like to know what precisely was being done, pursuant to the Gender Equity in Education Policy for 2005-2015, to convince secondary schools and technical institutions to allow girls to return to school after giving birth.

75. Turning to the availability of scholarships for tertiary education and noting that more boys were benefiting than girls even though the guidelines called for an even allocation between sexes, she asked what temporary special measures or other forms of action were being used to redress the balance. She further enquired whether the Family Life Syllabus referred to in the report had been approved; when it would be introduced; and whether it covered sexual and reproductive health and responsible sexual behaviour.

76. **Ms. Patten** said that she would be interested to know what personal circumstances or characteristics constituted prohibited grounds for discrimination in employment. Were marital status, current or prospective pregnancy, and HIV status expressly included in the list? She also wished to know: what the lawful discrimination envisaged in the employment relations bill might entail; whether the bill expressly covered both the public and private sectors; why a separate law was deemed necessary to address sexual harassment in the workplace; whether technical assistance had been sought from the International Labour Organization (ILO); whether the capacity of the Labour Inspectorate would be strengthened to respond to emerging needs; what measures were envisaged to improve the scope, quality and impact of labour inspections; and whether a time frame for the bill's adoption and

implementation had been set. With regard to the informal sector, she would like to know what the Government was doing to guarantee adequate social protection for workers in that sector and at the same time to facilitate their transition to the formal economy.

77. **Ms. Chalal** said that more information was needed about the reproductive health policy and strategy mentioned in the report, including details of the resources allocated, the objectives pursued and the availability of family planning services for rural women, migrant women and other minority groups. She would appreciate the delegation's comments on reports that its health policy was not inclusive, since women with disabilities were poorly served and often lacked access to both information and services. Given the lack of health-care infrastructures in rural areas and outlying islands, she suggested that wider use of mobile clinics might be considered. Noting that the number of teenage pregnancies showed no sign of falling, she enquired whether targeted educational and awareness-raising campaigns had been carried out; whether new technology and social media were being used effectively to that end; and whether contraception was available free of charge. Lastly, she requested an update on progress in establishing the community-based health-care and first aid programme envisaged under the agreement between the Ministry of Health and the Red Cross Society that was mentioned in paragraph 126 of the report.

The meeting rose at 1 p.m.